

From: DELEON4943@aol.com@inetgw
To: Microsoft ATR
Date: 1/24/02 3:47pm
Subject: Microsoft Settlement

Please allow me to add my voice to those who support approval of the settlement between DOJ and Microsoft.

I am a retired attorney, having spent several decades in private practice and as a government trial attorney and supervisor. During the later portion of my professional career I rendered service as a mediator and arbitrator.

I have seen disputes from a variety of perspectives: as plaintiff, defendant, peace maker and arbitrator.

From this vantage point, it has become clear to me that litigation, particularly of the protracted variety, is the worst possible way to settle disputes. There are no real winners, since even the party who prevails bears substantial expense, waste of time, stress and uncertainty.

Where, as here, one of the parties is a government agency the additional ingredient of the public interest comes into play.

I am not an expert in anti-trust law, my primary experience having been in labor and employment law.

However, from the viewpoint of a member of the public, it is my firm conviction that if the DOJ and a number of the states have reached a settlement agreement with Microsoft, it would be counter-productive to disapprove such an agreement.

The hold-out states have their reasons for not wanting to join in the agreement, and while I have strong opinions concerning such unreasonable intransigence and obstructionism, that is a matter beyond the scope of the comments that have been invited.

Microsoft has made substantial and significant contributions to technology and to the economy. The public will gain nothing through the perpetuation of this unnecessary battle. Settlement will be in the best interest of the public from a variety of viewpoints.

I respectfully urge the Court to approve the Settlement which is now before it.

Respectfully,

Heriberto (Herb) de Leon
P.O. Box 380291
Duncanville, TX 75116

